

ORDERED.

Dated: May 28, 2026


Luis E. Rivera II
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
www.flmb.uscourts.gov

In re:

Case No. 2:25-bk-02199-FMR
Chapter 11

Martins Food Technology, LLC
d/b/a Naples Fresh,

Debtor.

_____ /

**FIFTH INTERIM ORDER: (I) AUTHORIZING
USE OF CASH COLLATERAL, EFFECTIVE AS OF THE
PETITION DATE; AND (II) SCHEDULING CONTINUED HEARING
(Related Doc. No. 11)**

THIS CASE came on for hearing on May 20, 2026, at 10:00 a.m. (the “Hearing”) on consideration of the First Amended Expedited Motion Seeking Authority to Use Cash Collateral, Effective as of the Petition Date (Doc. No. 11) (“Motion”) filed by Martins Food Technology, LLC (the “Debtor”). For the reasons set forth in the Motion, and those stated orally and recorded in open court at the Hearing, which shall constitute the decision of the Court, it is

ORDERED:

1. The Motion is GRANTED on an interim basis as set forth herein.

2. Cash Collateral Authorization. Subject to the provisions of this Order, the Debtor is authorized to use cash collateral to pay: (a) amounts expressly authorized by this Court, including Subchapter V Trustee interim compensation; (b) current and necessary expenses set forth in the budget attached hereto as Exhibit A (“Budget”) except to the extent any line items requiring Court approval have not been approved, plus such amounts reasonably necessary to comply with Paragraph 6 of this Order, plus an amount not to exceed ten percent for each line item, except that the Debtor may spend an amount in excess of ten percent of any line item, so long as the total of all amounts in excess of all line items for the Budget do not exceed ten percent in the aggregate of the total Budget; and (c) such additional amounts as may be expressly approved in writing by the purportedly secured claimants identified in the Motion (including for avoidance of doubt Farm Credit Leasing Corporation (“FCL”) (collectively, “Secured Creditors”). This authorization will continue until further order of the Court. Except as authorized in this Order, the Debtor is prohibited from use of cash collateral.

3. Debtor Obligations. The Debtor shall timely perform all obligations of a debtor in possession required by the Bankruptcy Code, Federal Rules of Bankruptcy Procedure (each such rule a “Bankruptcy Rule”), and the orders of the Court.

4. Access to Records and Premises; Financial Reporting. Upon reasonable notice, and provided that it does not unreasonably interfere with the business of Debtor, Debtor shall grant the Secured Creditors access to Debtor’s business records and premises for inspection. Additionally, upon written request, the Debtor shall provide the Secured Creditors with copies of its ordinary course financial documents, together with other financial information that is reasonably requested.

5. Replacement Lien and Adequate Protection. The Secured Creditors shall have a perfected post-petition lien against the Debtor's prepetition collateral and cash collateral to the same extent and with the same validity and priority as their alleged prepetition lien without the need to file or execute any document as may otherwise be required under applicable non-bankruptcy law.

6. Insurance. The Debtor shall continuously maintain commercially reasonable insurance coverage for its property, including without limitation FCL's equipment.

7. Without Prejudice. This Order is without prejudice to: (i) any subsequent request by a party in interest to modify adequate protection or restrictions on use of cash collateral; (ii) any other right or remedy which may be available to any creditor; and (iii) any challenges by the Debtor as to the validity, priority, or extent of any lien(s) asserted by any creditor in the above-captioned bankruptcy case.

8. Creditors Committee. The provisions of this Order are without prejudice to the rights of the U.S. Trustee to appoint a committee or any rights of a duly appointed committee to challenge the validity, priority or extent of any lien(s) asserted against collateral.

9. Enforcement. The Court shall retain jurisdiction to enforce the terms of this Order.

10. Immediate Effect. This Order shall be immediately effective and enforceable upon entry, and the 14-day stay period contemplated in Bankruptcy Rule 6004(h), to the extent applicable, shall not apply.

11. Continued Hearing. The Court shall hold a continued hearing on the Motion on July 1, 2026, at 10:30 a.m. in person at Courtroom 4-102, United States Courthouse, 2110 First Street, Fort Myers, Florida. Parties are directed to consult Judge Rivera's Procedures Governing

Court Appearances regarding policies and procedures for attendance at hearings by video or telephone via Zoom, available at <https://www.flmb.uscourts.gov/judges/rivera/>. If you are unable to access the Court's website, please contact the Courtroom Deputy at (813) 301-5195 no later than 3:00 p.m. one business day before the date of the hearing.

12. Further Budgets: The Debtor shall file a notice of proposed budget for further use of cash collateral two (2) days prior to the Continued Hearing. Such proposed budget shall include an actual to budget analysis for prior uses of cash collateral.

Attorney Michael R. Dal Lago is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of the order.

Exhibit A

Budget

Cash Flow		3/5/26		3/12/26		3/19/26		3/26/26		4/2/26		4/9/26		4/16/26		4/23/26		4/30/26		5/6/26		5/13/26		5/20/26		5/27/26		6/3/26		6/10/26		6/17/26		6/24/26		6/30/26		7/7/26		7/14/26		7/21/26		7/28/26		8/4/26		8/11/26		8/18/26		8/25/26		9/1/26		9/8/26		9/15/26		9/22/26		9/29/26		10/6/26		10/13/26		10/20/26		10/27/26		11/3/26		11/10/26		11/17/26		11/24/26		12/1/26		12/8/26		12/15/26		12/22/26		12/29/26		1/5/27		1/12/27		1/19/27		1/26/27		2/2/27		2/9/27		2/16/27		2/23/27		2/29/27		3/6/27		3/13/27		3/20/27		3/27/27		4/3/27		4/10/27		4/17/27		4/24/27		5/1/27		5/8/27		5/15/27		5/22/27		5/29/27		6/5/27		6/12/27		6/19/27		6/26/27		7/3/27		7/10/27		7/17/27		7/24/27		7/31/27		8/7/27		8/14/27		8/21/27		8/28/27		9/4/27		9/11/27		9/18/27		9/25/27		10/2/27		10/9/27		10/16/27		10/23/27		10/30/27		11/6/27		11/13/27		11/20/27		11/27/27		12/4/27		12/11/27		12/18/27		12/25/27		1/1/28		1/8/28		1/15/28		1/22/28		1/29/28		2/5/28		2/12/28		2/19/28		2/26/28		3/5/28		3/12/28		3/19/28		3/26/28		4/2/28		4/9/28		4/16/28		4/23/28		4/30/28		5/7/28		5/14/28		5/21/28		5/28/28		6/4/28		6/11/28		6/18/28		6/25/28		7/2/28		7/9/28		7/16/28		7/23/28		7/30/28		8/6/28		8/13/28		8/20/28		8/27/28		9/3/28		9/10/28		9/17/28		9/24/28		10/1/28		10/8/28		10/15/28		10/22/28		10/29/28		11/5/28		11/12/28		11/19/28		11/26/28		12/3/28		12/10/28		12/17/28		12/24/28		1/1/29		1/8/29		1/15/29		1/22/29		1/29/29		2/5/29		2/12/29		2/19/29		2/26/29		3/5/29		3/12/29		3/19/29		3/26/29		4/2/29		4/9/29		4/16/29		4/23/29		4/30/29		5/7/29		5/14/29		5/21/29		5/28/29		6/4/29		6/11/29		6/18/29		6/25/29		7/2/29		7/9/29		7/16/29		7/23/29		7/30/29		8/6/29		8/13/29		8/20/29		8/27/29		9/3/29		9/10/29		9/17/29		9/24/29		10/1/29		10/8/29		10/15/29		10/22/29		10/29/29		11/5/29		11/12/29		11/19/29		11/26/29		12/3/29		12/10/29		12/17/29		12/24/29		1/1/30		1/8/30		1/15/30		1/22/30		1/29/30		2/5/30		2/12/30		2/19/30		2/26/30		3/5/30		3/12/30		3/19/30		3/26/30		4/2/30		4/9/30		4/16/30		4/23/30		4/30/30		5/7/30		5/14/30		5/21/30		5/28/30		6/4/30		6/11/30		6/18/30		6/25/30		7/2/30		7/9/30		7/16/30		7/23/30		7/30/30		8/6/30		8/13/30		8/20/30		8/27/30		9/3/30		9/10/30		9/17/30		9/24/30		10/1/30		10/8/30		10/15/30		10/22/30		10/29/30		11/5/30		11/12/30		11/19/30		11/26/30		12/3/30		12/10/30		12/17/30		12/24/30		1/1/31		1/8/31		1/15/31		1/22/31		1/29/31		2/5/31		2/12/31		2/19/31		2/26/31		3/5/31		3/12/31		3/19/31		3/26/31		4/2/31		4/9/31		4/16/31		4/23/31		4/30/31		5/7/31		5/14/31		5/21/31		5/28/31		6/4/31		6/11/31		6/18/31		6/25/31		7/2/31		7/9/31		7/16/31		7/23/31		7/30/31		8/6/31		8/13/31		8/20/31		8/27/31		9/3/31		9/10/31		9/17/31		9/24/31		10/1/31		10/8/31		10/15/31		10/22/31		10/29/31		11/5/31		11/12/31		11/19/31		11/26/31		12/3/31		12/10/31		12/17/31		12/24/31		1/1/32		1/8/32		1/15/32		1/22/32		1/29/32		2/5/32		2/12/32		2/19/32		2/26/32		3/5/32		3/12/32		3/19/32		3/26/32		4/2/32		4/9/32		4/16/32		4/23/32		4/30/32		5/7/32		5/14/32		5/21/32		5/28/32		6/4/32		6/11/32		6/18/32		6/25/32		7/2/32		7/9/32		7/16/32		7/23/32		7/30/32		8/6/32		8/13/32		8/20/32		8/27/32		9/3/32		9/10/32		9/17/32		9/24/32		10/1/32		10/8/32		10/15/32		10/22/32		10/29/32		11/5/32		11/12/32		11/19/32		11/26/32		12/3/32		12/10/32		12/17/32		12/24/32		1/1/33		1/8/33		1/15/33		1/22/33		1/29/33		2/5/33		2/12/33		2/19/33		2/26/33		3/5/33		3/12/33		3/19/33		3/26/33		4/2/33		4/9/33		4/16/33		4/23/33		4/30/33		5/7/33		5/14/33		5/21/33		5/28/33		6/4/33		6/11/33		6/18/33		6/25/33		7/2/33		7/9/33		7/16/33		7/23/33		7/30/33		8/6/33		8/13/33		8/20/33		8/27/33		9/3/33		9/10/33		9/17/33		9/24/33		10/1/33		10/8/33		10/15/33		10/22/33		10/29/33		11/5/33		11/12/33		11/19/33		11/26/33		12/3/33		12/10/33		12/17/33		12/24/33		1/1/34		1/8/34		1/15/34		1/22/34		1/29/34		2/5/34		2/12/34		2/19/34		2/26/34		3/5/34		3/12/34		3/19/34		3/26/34		4/2/34		4/9/34		4/16/34		4/23/34		4/30/34		5/7/34		5/14/34		5/21/34		5/28/34		6/4/34		6/11/34		6/18/34		6/25/34		7/2/34		7/9/34		7/16/34		7/23/34		7/30/34		8/6/34		8/13/34		8/20/34		8/27/34		9/3/34		9/10/34		9/17/34		9/24/34		10/1/34		10/8/34		10/15/34		10/22/34		10/29/34		11/5/34		11/12/34		11/19/34		11/26/34		12/3/34		12/10/34		12/17/34		12/24/34		1/1/35		1/8/35		1/15/35		1/22/35		1/29/35		2/5/35		2/12/35		2/19/35		2/26/35		3/5/35		3/12/35		3/19/35		3/26/35		4/2/35		4/9/35		4/16/35		4/23/35		4/30/35		5/7/35		5/14/35		5/21/35		5/28/35		6/4/35		6/11/35		6/18/35		6/25/35		7/2/35		7/9/35		7/16/35		7/23/35		7/30/35		8/6/35		8/13/35		8/20/35		8/27/35		9/3/35		9/10/35		9/17/35		9/24/35		10/1/35		10/8/35		10/15/35		10/22/35		10/29/35		11/5/35		11/12/35		11/19/35		11/26/35		12/3/35		12/10/35		12/17/35		12/24/35		1/1/36		1/8/36		1/15/36		1/22/36		1/29/36		2/5/36		2/12/36		2/19/36		2/26/36		3/5/36		3/12/36		3/19/36		3/26/36		4/2/36		4/9/36		4/16/36		4/23/36		4/30/36		5/7/36		5/14/36		5/21/36		5/28/36		6/4/36		6/11/36		6/18/36		6/25/36		7/2/36		7/9/36		7/16/36		7/23/36		7/30/36		8/6/36		8/13/36		8/20/36		8/27/36		9/3/36		9/10/36		9/17/36		9/24/36		10/1/36		10/8/36		10/15/36		10/22/36		10/29/36		11/5/36		11/12/36		11/19/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